

Message

---

**From:** Power, Lucinda [power.lucinda@epa.gov]  
**Sent:** 11/16/2018 5:04:07 PM  
**To:** Edward, James [edward.james@epa.gov]; Fields, Jenifer [fields.jenifer@epa.gov]  
**Subject:** RE: C- WIP framework  
**Attachments:** iii.b.\_cwip\_framework\_final\_oct2018.pdf

Jen,

Attached please find the latest (and apparently final) version of the CWIP Framework. It does mention the 401 cert and Exelon quite a bit:

**Page 1**

It is also important to recognize that the Conowingo Dam, a hydroelectric facility owned and operated by Exelon, is currently undergoing a Federal Energy Regulatory Commission relicensing which requires a water quality certification from the state of Maryland pursuant to Section 401 of the Clean Water Act. Maryland has indicated that it is going to review the May 2017 application from Exelon for consistency with all applicable state water quality standards. Public comments received on the application signal a need for Exelon to be a key partner in addressing the downstream water quality impacts.

The CBP Partnership has identified four options for assigning pollutant load reduction responsibility among the Bay jurisdictions and has also signaled that Exelon should be held responsible for some portion of the reduction. The four geographic options under discussion are listed below and do not yet include an assignment to Exelon, which could be impacted by the outcome of Maryland's 401 Water Quality Certification.

**Page 4**

3. Incorporating the outcome of the Exelon CWA S. 401 water quality certification.

2. Funding options: Partners would agree to contribute resources (e.g. funding, technical assistance, in-kind services, etc) into a pool to be managed collaboratively to achieve the necessary pollutant load reductions.

The unique and critical component to this proposed Conowingo WIP is pooling resources and the collaborative application of those pooled resources in the most cost-effective manners possible. Pooled resources would be phased in over a period of time. Key sources of initial funding are anticipated to be realized through the Exelon Water Quality Certification (anticipated May 2018) and additional federal funding sources (e.g., USDA , CWA 117 Innovative Nutrient and Sediment and Small Watershed Grants, Army Corps, USFW, NFWF Chesapeake Stewardship Fund, etc.) that can supplement current state WIP efforts.

Thanks,  
Lucinda

Lucinda Power  
Acting Associate Director  
Chesapeake Bay Program Office  
U.S. Environmental Protection Agency  
(410) 267-5722

"Be the change you wish to see in the world." - Gandhi

---

**From:** Edward, James  
**Sent:** Friday, November 16, 2018 9:54 AM  
**To:** Fields, Jenifer <fields.jenifer@epa.gov>

**Cc:** Power, Lucinda <power.lucinda@epa.gov>

**Subject:** Re: C- WIP framework

Jen. I'm out today but copying Lucinda to send you the latest version which I think still references Exelon.

Thanks Jim

Sent from my iPhone 410-693-2748

On Nov 16, 2018, at 8:01 AM, Fields, Jenifer <[fields.jenifer@epa.gov](mailto:fields.jenifer@epa.gov)> wrote:

Hi Jim,

Does the latest version of the C-WIP framework reference the 401 Certification? Can you send me a copy?

The May 7 draft Framework for the Conowingo Watershed Implementation Plan contemplates, "Key sources of initial funding are anticipated to be realized through the Exelon Water Quality Certification and additional federal funding sources."

Thanks,

Jen

Jenifer Fields, Chief of Staff

EPA Region 3 (3RA00)

1650 Arch St

Philadelphia, PA 19103

Phone (215) 814-2900

Fax (215) 814-2901